

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

September 14, 2004  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Braun, Chow, Hirsch, Niemann, Silver, Turner  
Absent: None

### Item #R1 – Consideration of Old Business

The following employees were introduced to the Council: Byron Tilton (Police), Jenny Nicewander (Public Works) and Shanna Sims (Finance).

Ron Whitehead, City Manager, presented Council with a calendar highlighting announcements and upcoming events.

### Item #R2 – Consent Agenda

Item #2a – Approval of the Minutes for the August 14, 2004 and August 24, 2004 Council Meetings. (Approved)

Item #2b – Consideration of approval of award of bid and Resolution authorizing the City Manager to enter into a contract in the amount of \$68,496.00 with American Landscape Systems for annual landscape and irrigation maintenance in Addison Circle and Addison Circle Park. (Approved) (R04-072)

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$142,605.00 with Paradigm Traffic Systems, Inc. as sole source for the purchase of vehicle video detection equipment for Belt Line Road signalized intersections. (Approved) (R04-073)

Councilmember Niemann moved to duly approve the above listed items. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R3 – **PUBLIC HEARING** on the Town's annual budget for the fiscal year beginning October 1, 2004 and ending September 30, 2005.

Mayor Wheeler opened the meeting as a public hearing. The following people spoke on this item:

- Carol Beeson, Addison resident, spoke regarding Anne Frank Elementary School.

- Paul Hayes, Addison resident, spoke in support of a second dog park.
- James Easterling, President of Addison Police Association, read a thank you statement to the Council for its support.
- Paul Hayes, Addison Resident, asked for clarification of the proposed road being built.

There were no additional comments or questions. Mayor Wheeler closed the meeting as a public hearing.

No action taken.

Item #R4 – Consideration of an Ordinance amending the Town of Addison annual budget for the fiscal year ending September 30, 2004.

Councilmember Silver moved to duly pass Ordinance No. 004-039 amending the Town of Addison annual budget for the fiscal year ending September 30, 2004. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
 Voting Nay: None  
 Absent: None

Item #R5 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a Christmas tree lot, including yard decorations, located at 14223 Dallas Parkway, on application from Mr. Jeff Patton of Patton's Corner.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Turner moved to duly pass Ordinance No. 004-040 approving a Special Use Permit for a Christmas tree lot, including yard decorations, located at 14223 Dallas Parkway, subject to no conditions. Councilmember Braun seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
 Voting Nay: None  
 Absent: None

Item #R6 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 4980 Belt Line Road, Suite 150, on application from Chat's Coffee House, represented by Mr. Roger B. LaPointe.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Chow moved to duly pass Ordinance No. 004-041 approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 4980 Belt Line Road, Suite 150, subject to the following condition:

1. All missing plant material shown on the most recent landscape plan that the staff has on file will need to be replaced prior to the issuance of a Certificate of Occupancy for the space. In addition, a freeze and rain sensor must be installed on the irrigation system, if it is not already installed.

Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Councilmember Chow was recused from Council Chambers.

Item #R7 – **PUBLIC HEARING** and consideration of a Ordinance approving a Special Use Permit for a restaurant, located at 4980 Belt Line Road, Suite 100, on application from Grand Buffet Chinese Restaurant, represented by Mr. Chaucer Chern.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Niemann moved to duly pass Ordinance No. 004-042 approving a Special Use Permit for a restaurant, located at 4980 Belt Line Road, Suite 100, on application from Grand Buffet Chinese Restaurant, subject to the following condition:

1. All missing plant material shown on the most recent landscape plan that the staff has on file will need to be replaced prior to the issuance of a Certificate of Occupancy for the space. In addition, a freeze and rain sensor must be installed on the irrigation system, if it is not already installed.

Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Abstaining: Chow

Councilmember Chow returned to Council Chambers.

Item #R8 – **PUBLIC HEARING** and consideration of an Ordinance amending an existing Planned Development District (#595) and approving development plans for an office/warehouse building, located at 4300 Excel Parkway, on application from Raymond Construction Company, represented by Mr. Charles Raymond.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Turner moved to duly pass Ordinance No. 004-043 amending an existing Planned Development District (#595) and approving development plans for an office/warehouse building, located at 4300 Excel Parkway, subject to the following conditions:

1. At the time of building permit application, the applicant shall submit complete civil design drawings.
2. The plan shall be stamped by a licensed landscape architect, and calculations showing the landscaped percentage of the site shall be added to the plan, prior to the issuance of a building permit.
3. The dumpster enclosure shall be made out of the same material as the building, shall have gates on the front, and shall be large enough to hold all refuse containers on the site.

Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R9 – **PUBLIC HEARING** and consideration of an Ordinance amending a Special Use Permit for a public building to be used by the federal government, located at 4900 Airport Parkway, on application from the United States Postal Service, represented by Mr. Dennis Delisse of MPI Architects.

Mayor Wheeler opened the meeting as a public hearing. The following people spoke on this item:

- Kent Hope
- Paul Hayes, Addison resident, spoke regarding building entrances.
- J. J. Horan spoke regarding relinquishment of five feet of property.

Councilmember Niemann moved to table this item until the next Council meeting and continue the public hearing until September 28, 2004. Councilmember Braun seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R10 – Consideration of a Resolution of the Town of Addison, Texas, authorizing the Cities Aggregation Power Project, Inc. (CAPP) to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2005; authorizing the City Manager or other designated city official to sign a contract with CAPP for the Town of Addison's 2005 electricity needs; and committing to budget for energy purchases in 2005 and to honor the Town of Addison's commitments to purchase power for its electrical needs in 2005 though CAPP.

Councilmember Niemann moved to duly pass Resolution No. R04-074, authorizing the Cities Aggregation Power Project, Inc. (CAPP) to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2005; authorizing the City Manager or other designated city official to sign a contract with CAPP for the Town of Addison's 2005 electricity needs; and committing to budget for energy purchases in 2005 and to honor the Town of Addison's commitments to purchase power for its electrical needs in 2005 though CAPP. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R11 – Consideration of approval of award of bid and a Resolution authorizing the City Manager to enter into a contract in the amount of \$35,680.00 with DCC, Inc. for annual maintenance of display fountains and waterfall pumping systems.

Councilmember Turner moved to dully approve the award of bid and Resolution No. R04-075 authorizing the City Manager to enter into a contract in the amount of \$35,680.00 with DCC, Inc. for annual maintenance of display fountains and waterfall pumping systems. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R12 – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$12,210.00 with Phoenix Fabricators and Erectors, Inc. for repainting of two existing Addison logos on and the application of two additional Addison logos to the elevated water storage reservoir.

Mayor Wheeler opened the meeting as a courtesy public hearing. Mr. Paul Hayes, Addison resident, spoke on this item. There were no other questions or comments. Mayor Wheeler closed the meeting as a courtesy public hearing.

Councilmember Silver moved to duly pass Resolution No. R04-076 authorizing the City Manager to enter into a contract in the amount of \$12,210.00 with Phoenix Fabricators and Erectors, Inc. for repainting of two existing Addison logos on and the application of two additional Addison logos to the elevated water storage reservoir. Councilmember Chow seconded. The motion carried.

Voting Aye: Braun, Chow, Hirsch, Niemann, Silver, Turner  
Voting Nay: Wheeler  
Absent: None

There being no further business before the Council, the meeting was adjourned.

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Mayor

Attest:

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City Secretary